महाराष्ट्र शासन

क्र. आयपीएस-१९१६/प्र.क्र.६३ /पोल-१
गृह विभाग, २ रा मजला, मंत्रालय,
मादाम कामा रोड, मुंबई-४०००३२.
तारीख: ०६ फेब्रुवारी, २०१६

केंद्र शासनाच्या गृह मंत्रालयाच्या क्र. ४५०२०/१७/२०१५-IPS-II, दिनांक १६.११.२०१५ व कार्मिक आणि प्रशिक्षण विभाग, कार्मिक लोकगा-हाणी व निवृत्तीवेतन मंत्रालयाच्या क्र. ११०१९/०५/२०१५-AIS-III दिनांक ०३.११.२०१५ चे पत्र महाराष्ट्र राज्य संवर्गातील भारतीय पोलीस सेवेतील अधिकाऱ्यांना माहिती व योग्य त्या कार्यवाहीसाठी सोबत अग्रेषित.

अ.क्र.	पत्र क्रमांक व दिनांक	विषय
१.	केंद्र शासनाच्या गृह मंत्रालयाच्या क्र. ४५०२०/ १७/२०१५-IPS-II, दि.१६.११.२०१५ व कार्मिक आणि प्रशिक्षण विभाग, कार्मिक लोकगा-हाणी व निवृत्तीवेतन मंत्रालयाच्या क्र.११०१९/०५/ २०१५-AIS-III,दि. ०३.११.२०१५	Instruction/ guidelines under rule 7(2) of AIS (Leave) Rules 1955 to process deemed resignation for being unauthorisedly absent after expiry of Leave/ Study Leave/ Foreign Assignment etc.

सदर पृष्ठांकन महाराष्ट्र शासनाच्या www.maharashtra.gov.in या संकेतस्थळावर उपलब्ध करण्यात आला असून त्याचा संकेताक २०१६०२०५१७२७३७९८२९ असा आहे. हे पृष्ठांकन डिजीटल स्वाक्षरीने साक्षांकित करुन काढण्यात येत आहे.

महाराष्ट्राचे राज्यपाल यांच्या आदेशानुसार व नावाने.

Charushila Chandrakant Tambekar

Digitally signed by Charushila Chandrakant Tambekar
DN: CN = Charushila Chandrakant Tambekar, C = IN, S = Maharashtra, O = Government Of Maharashtra, OU = Joint Secretary
Date: 2016.02.06 15:23:00 +05'30'

(चारुशीला तांबेकर)
सह सचिव, महाराष्ट्र शासन

प्रत,

१. महासंचालक व पोलीस महानिरीक्षक, महाराष्ट्र राज्य, मुंबई
२. मा.राज्यपाल यांचे सचिव, राजभवन, महाराष्ट्र राज्य, मुंबई
३. मा.मुख्यमंत्री यांचे प्रधान सचिव, मंत्रालय, मुंबई
४. मा.राज्यमंत्री (गृह)(शहरे/ग्रामीण) यांचे खाजगी सचिव, मंत्रालय, मुंबई
५. मुख्य सचिव यांचे उप सचिव, मंत्रालय, मुंबई
६. अपर मुख्य सचिव (गृह) यांचे वरिष्ठ स्वीय सहायक, मंत्रालय, मुंबई
७. महालेखापाल (लेखा व अनुज्ञेयता/ लेखा परीक्षा)-१, महाराष्ट्र, मुंबई.
८. महालेखापाल (लेखा व अनुज्ञेयता/ लेखा परीक्षा)-२, महाराष्ट्र, नागपूर.

९. सहाय्यक संचालक (भापोसे कक्ष), गृह विभाग, मंत्रालय, मुंबई.

१०. निवड नस्ती, पोल-१.

File No.45020/17/2015-IPS-II
Government of India/Bharat Sarkar
Ministry of Home Affairs/Grih Mantralaya
*****

North Block, New Delhi.
Dated the 16 November, 2015.

The Chief Secretaries of all the States.
(As per list enclosed)

Subject: - Instruction/ guidelines under rule 7(2) of AIS (Leave) Rules 1955 to process deemed resignation for being unauthorisedly absent after expiry of Leave / Study Leave/ Foreign Assignment etc.

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Sir/Madam,

I am directed to refer to DoPT's instruction communicated vide letter No 11019/05/2015-AIS-III dated 03.11.2015 on the subject and to enclose the same for further necessary action and compliance.

Encl: As Above

16/11/15
(G.C. Yadav)
Deputy Secretary (Police)
Tel: 2309 3256

Copy to:-

1. **All the Central Police Organizations (CPO), Central Armed Police Forces (CAPF) and other Attached Offices (As per list enclosed).**
2. **Joint Secretary UTS, MHA, North Block, New Delhi.**

415

F.No. 11019/05/2015-AIS-III
Government of India
Ministry of Personnel, Public Grievances & Pensions
Department of Personnel & Training
***

New Delhi dated the 3rd Nov. , 2015

The Chief Secretaries of all the States/UTs

Subject:- **Instructions / guidelines under rule 7(2) of AIS(Leave) Rules 1955 to process deemed resignation for being unauthorisedly absent after expiry of Leave / Study Leave/ Foreign Assignment etc.**

Sir/Madam,

The following procedure shall be followed in the cases of unauthorized absence and to initiate proceedings of deemed resignation under rule 7(2) of AIS(Leave) Rules 1955:-

(a) A Member of Service (MoS), if remains unauthorisedly absent after the sanctioned period of leave / study leave / tenure of Foreign Assignment as prescribed under rule 7(2) of AIS(Leave)Rules, 1955, there shall be a one month waiting period after the end of leave period / tenure of foreign assignment etc. After that the concerned State Government shall issue a show cause notice, thereby giving an opportunity to the MoS to explain his / her case. Thereafter, if the MoS does not return to duty, the State Government concerned shall initiate proceedings of deemed resignation under rule 7(2) of AIS(Leave) Rules 1955 and forward a complete proposal to the Central Government for effecting deemed resignation within next two months. If the State Government fails to comply with these instructions and does not adhere to the aforesaid timeline, the Central Government shall initiate proceedings of deemed resignation under rule 7(2) of AIS(Leave) Rules 1955 on its own. The term 'Central Government' means the concerned Cadre Controlling Authority, i.e. Department of Personnel & Training for IAS officers, Ministry of Home Affairs for IPS officer and Ministry of Environment, Forest & Climate Change for IFS officers respectively.

(b) However, there is no bar in issuing show cause notice and seek clarification from MoS for being unauthorisediy absent any time during one year period of unauthorised absence or as otherwise provided under rule 7(2)(a) & (b) respectively. But after period of one year of unauthorised absence or as otherwise provided under rule 7(2)(a) & (b) respectively, the whole process of deemed resignation shall be completed within three months as prescribed above.

2. The above instructions / guidelines may please be brought to the notice of all the concerned authorities under your administrative control for strict compliance.

3. This issues with the approval of Competent Authority.

Yours faithfully,

(Diwakar Nath Misra)
Director(Services)
Tele:011- 23092483

Cont'd…2

अनु. 10

Copy to for information and further necessary action :-

1. Joint Secretary(UTS)
MHA, North Block, New Delhi

2. Joint Secretary(Police-I)
MHA, North Block, New Delhi

3. I.G. of Forests
M/o Environment, Forests and Climate Change
Paryavaran Bhawan, Jor Bagh, New Delhi

4. NIC, DOPT, North Block, N. Delhi – with request to upload it on the website of this Department under O.M. & Orders – Service- Leave/Study Leave.